16 13
20. (Amended) The method of claim [18] ~~15~~ wherein delivering a controlled amount of a bioactive agent at the treatment site further comprises injecting a pellet comprising a bioactive agent.

18 13
~~22.~~ (Amended) The method as defined in claim ~~15~~ further comprising, following [actuating the end effector] delivering a controlled amount of a bioactive agent at the treatment site:

translating the end region to relocate the end effector; and

repeating actuation of the end effector.

REMARKS

Summary of the Office Action

Claims 1-22 are pending in the application.

Claims 10-14 have been allowed. Claims 4-6 and 17-21 have been indicated to contain allowable subject matter.

Claims 1-3, 7-9, 15, 16, and 22 have been rejected under the judicially created doctrine of nonstatutory double patenting. Claim 7 has been objected to as being a substantial duplicate of claim 8.

Claims 1-3, 7-9, 15, and 16 have further been rejected under 35 U.S.C. § 102(e) as anticipated by PCT Publication No. WO 96/35,469 to Kesten et al.

Applicants' Response

With regard to the double patenting rejections of claims 1-3, 7-9, 15, 16, and 22, a terminal disclaimer is filed herewith to obviate those rejections. With regard to the objection of claim 7 as being a substantial duplicate of claim 8, applicants respectfully submit that a hydraulic mechanism is



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actuated by a pressurized fluid, while a pneumatic mechanism is actuated by a pressurized gas. It is therefore respectfully submitted that claim 7 is not a substantial duplicate of claim 8.

Applicants have amended claim 1 to incorporate the subject matter indicated to be allowable in claim 5. Likewise, claim 15 has been amended to incorporate the subject matter indicated to be allowable in claim 18. Claims 4, 5, 17 and 18 have been canceled as redundant. Claims 19, 20, and 22 have been amended to conform to amended claim 15.

In view of the foregoing amendments and remarks, applicants respectfully submit that all of the pending claims patentably distinguish over the prior art. Applicants submit that the application is in condition for allowance. An early and favorable action is earnestly requested.

Respectfully submitted,

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